

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRIS KOSACHUK,	:	
	:	19mc326 (DLC)
Plaintiff,	:	
	:	<u>ORDER</u>
-v-	:	
	:	
9197-5904 QUEBEC, INC.,	:	
	:	
Defendant.	:	
	:	
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DENISE COTE, District Judge:

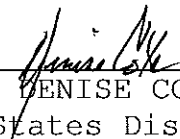
On February 10, 2025, the plaintiff filed a motion to enforce a judgment against 9197-5904 Quebec, Inc. and Selective Advisor Group, LLC ("Selective"). As explained in the Order of February 18, Selective must be served with the plaintiff's motion in the same manner as service of a summons in an action. On February 22, the plaintiff filed an affidavit indicating that Selective had been served via hand delivery to an employee of the Delaware Secretary of State "as registered agent."

It is not clear whether service has been completed on Selective, or which provision of federal or New York law relevant to service of process the plaintiff intends to invoke. Rule 4(h), Fed. R. Civ. P., provides for service "to an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process." The plaintiff has not specified whether he believes the Delaware

Secretary of State satisfies one of these criteria. As a matter of Delaware law, the Delaware Secretary of State may be served only after "due diligence" in attempting to serve by other enumerated means. Del. Code § 18-105. New York law also sets forth means of serving foreign limited liability companies, but the plaintiff has not stated that those means have been followed here. N.Y. Limit. Liab. Co. §§ 303-304. Accordingly, it is hereby

ORDERED that by March 7, 2025, the plaintiff shall complete service on Selective, and shall file an explanation not to exceed two pages of how service was completed and which provision of federal or New York law relevant to service of process he believes has been satisfied.

Dated: New York, New York
February 25, 2025



DENISE COTE
United States District Judge